

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

June 22, 2007

TO: Internal File

FROM: James D. Smith, Environmental Scientist, Team Lead *JS 07/04/07*

RE: Wild Horse Ridge Tank Seam As-Built, Co-op Mining Co., Bear Canyon Mine, C/015/0025, Task ID #2811

SUMMARY:

This As-Built amendment was originally submitted as part of the Wild Horse Ridge Tank Seam As-Built/Snow Storage amendment, received May 11, 2006: it was assigned Task # 2523. Because that initial submittal was found deficient, the Permittee revised and resubmitted the amendment: the Division received it on October 2, 2006 and assigned it Task # 2588. During the Technical Review of that second submittal it became evident that the two tasks - the Snow Storage amendment in response to the NOV and the Wild Horse Ridge As-Built amendment - needed to be separated in order to expedite the abatement and termination of the NOV. The Division received the third Snow Storage submittal on October 4, 2006. This third iteration, which addressed only the snow storage issue, was found sufficient for incorporation into the MRP (Task # 2669). A letter of conditional approval for the Snow Storage amendment was sent November 14, 2006, the Division received clean copies December 11, 2006, and the final approval letter was dated December 12, 2006.

The other half of the third submittal of the Wild Horse Ridge As-Built/Snow Storage amendment, which addressed only the As-Built deficiencies, was submitted October 10, 2006 (received October 13, 2006). The information was scanned into the Division's electronic file system; however, the paper copy was somehow lost and the amendment was not given a Task number and was not assigned for technical review. An inquiry from the Permittee as to the status of this amendment brought the oversight to the Division's attention. A copy of the submittal was regenerated from the scanned file on February 23, 2007, the amendment was assigned task #2753, and a deficiency letter was sent April 13, 2007. On May 24, the Division received the Permittee's response, which was assigned Task # 2811.

TECHNICAL MEMO

TECHNICAL ANALYSIS:

GENERAL CONTENTS

PERMIT APPLICATION FORMAT AND CONTENTS

Regulatory Reference: 30 CFR 777.11; R645-301-120.

Analysis:

The Permittee needs to correct the pagination errors at pages 7-114 and 7-115; also pages 7-117 and 1-118. The Permittee needs to match the volume of discharge of C-23U indicated in the table on page 7G-50 with that on page 7G-77. The Permittee needs to include all pages indicated on the C2 form. Specifically, 5K-14 through 5K-21 and 5K-21A are listed on the C2 form but are missing from the submittal.

Pages 6C-31 and 6C-32 are listed on the C2. These pages are in the submittal but are not numbered. In a phone conversation, Mark said he would have these numbered in the final version.

Finding:

Permit Application Format and Contents are not sufficient to meet the requirements of the Coal Mining Rules. Before the Division can approve this amendment, the Permittee needs to provide the following in accordance with:

R645-301-121.200, -121.300, The Permittee needs to correct the pagination errors at pages 7-114 and 7-115; also pages 7-117 and 1-118.

R645-301-741, -742.312, The Permittee needs to match the volume of discharge of C-23U indicated in the table on page 7G-50 with that on page 7G-77.

R645-301-121.200, -121.300, The Permittee needs to include all pages indicated on the C2 form. Specifically, 14-21 and 5K-21A are listed on the C2 form but are missing from the submittal.

OPERATION PLAN

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

Analysis:

Diversions: Miscellaneous Flows

Table 7-25 indicates that C-32U either was never built or has been abandoned. On Plates 7-1G and 7-5a, culvert C-32U has been labeled "Abandoned In Place".

Ditch D-24U starts above Catch Basin 2. It is close to and parallel to D-25U for a short distance, but D-25U reports to Catch Basin 2 while water flowing in D-24U eventually reaches Bear Creek. The separation between D-24U and D-25U is shown on Plate 7-1G.

Both pages 7-117 and 7-118 in the May 21 submittal are information on culverts C-21 through C-40; page 7-117 has the revision showing that AD-19 reports to C-34U, while page 7-118 is the old version. Similarly, pages 7-114 and 7-115 both cover diversions D-17U through D-39U. Page 7-114 has been revised to show that it is D-37U, rather than C-37U, that reports to D-31U, and page 7-115 is the old version of this table. The Permittee was contacted about this, and it appears there was a pagination problem with Chapter 7: page 7-114 is supposed to be page 7-115, but when the Permittee corrected it and printed to pdf, Word messed up the pagination and it printed as page 7-114. Without noticing the page number change, they then took the first submittal and replaced page 7-114 with the new sheet that was labeled 7-114, but was actually 7-115. A similar error occurred with pages 7-117 and 7-118. This will be corrected in the next submittal.

The discharge for C-23U was 40.56 cfs on page 7G-77 and in the table on page 7G-50 in previous submittals: in the latest submittal these have been changed, but the table now has 40.69 cfs and page 7G-77 has 40.66 cfs, a probably inconsequential inconsistency. The Permittee has been contacted about this; the flow should be 40.66 cfs, and the Permittee will fix the table in the next submittal.

Sediment Control Measures

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Catch Basin 2 at BTCA W is designed for total containment. As shown on Plate 7-1G, D-25U and BTCA W (indicated by the hatched pattern) drain to Catch Basin 2 and do not drain to D-24U.

Findings:

RECOMMENDATIONS:

The proposed amendment should not be approved until the listed deficiencies have been addressed satisfactorily.

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